UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,867	07/12/2000	Shankar Sahai	1719.0360000	2450

7590 07/24/2008

JOHN W. OLIVO, JR.
WARD & OLIVO
382 SPRINGFIELD AVENUE
SUMMIT, NJ 07901

EXAMINER	
CHANKONG, DOHM	
ART UNIT	PAPER NUMBER
2152	

MAIL DATE	DELIVERY MODE
07/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/614,867	SAHAI ET AL.	
	Examiner	Art Unit	
	DOHM CHANKONG	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to Applicant's amendment and arguments filed on 4/7/2008. Claims 1, 9, and 17 are amended. Claims 1-18 are presented for further examination.

2. This action is a final rejection.

Response to Arguments

3. Applicant argues that Lerner fails to disclose redirecting a user from a second website to a first website based on reading the cookie on a user's computer. In Applicant's view, Lerner merely teaches comparing information in the cookie with the information in the API library. This argument has been carefully considered but is not persuasive. While Lerner does disclose comparing cookie information with the information in the API library, this comparison is done so as to determine whether the user should be redirected to the current user agreement website.

As described by the previous examiner, the previous citations to Lerner describe upon a positive determination to the comparison function, the user is not presented with the user for viewing again. That is, instead of being directed to the user agreement web site, the user is redirected to the interactive application website. The other citation of column 12, lines 40-54 further describe the role of the cookie in this redirection process. Therefore, Applicant's argument with respect to the independent claims are not considered persuasive. Applicant's additional arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment.

It is noted however that in reviewing Applicant's specification the examiner noticed certain functionality that if included in the independent claims would distinguish over the cited prior art references. Specifically, on page 13, lines 6-13, the specification describes that the user has acquired or purchased the good or service from the first website. This functionality is absent from the claims which only specify redirecting the user to a first website. In examiner's view, this functionality is important because it further defines the role of the first website in Applicant's invention. Amending the claims to additionally recite that the user purchases or acquires the good or service from the first website and that the first website places the cookie on the user's computer would clearly overcome the cited prior art references.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-6, 9-14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lerner (U.S. Patent Number 6,954,799), in view of Vange et al, U.S Patent No. 7.143.195 ["Vange"], in view of Roberts et al, U.S. Patent No. 6.101.486 ["Roberts"].

5. Vange was cited the previous examiner in the PTO-892 filed on 12.28.2006.

6. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a system or a computer program product are rejected under the same rationale applied to the described claim.

7. Lerner disclosed a method for integrating web based applications with each other and with other centralized applications to provide a single sign-on approach for distributed web sites. Lerner expressly disclosed providing, by the second web site, a URL where the URL specifies a program on the second web site. Lerner also expressly disclosed reading, by the program, a cookie that is located on the user's computer. However, Lerner did not expressly disclose (1) reading the cookie through a wireless link nor does Lerner disclose (2) the user who possesses the product or service is not shown any updated offers of the product or service.

Connecting a client computer through a wireless link was extremely well known at the time of Applicant's invention. For example, Vange disclosed storing a cookie on a mobile computer [abstract : storing a cookie on a client device | column 4 «lines 41-56» where : a client device is a handheld that establishes wireless connections through a WAP]. Vange also teaches reading the cookie that was located on the client device [column 11 «lines 22-25»]. Thus, this teaching, in combination with Vange's teachings that a client device can be implemented as a handheld computer with wireless connections, disclose the claimed limitation of reading a cookie located in the user's computer through a wireless link.

It would have been obvious to one of ordinary skill in the art to have adapted Lerner's method for redirecting user's to include Vange's teachings of a handheld computer that wirelessly links to the web sites. The benefits of wireless connections are extremely well known including

providing a user the ability to connect to the Internet from remote locations where physical connections are not present. Thus, one would have been motivated to modify Lerner to satisfy the need of providing wireless capability to Lerner's redirection invention.

As to the second missing limitation, Roberts discloses a system for gathering customer information when the customer accesses a website location. Roberts further discloses identifying a customer through the use of a cookie [column 5 «lines 16-24»], and upon identifying the user, determining the user's previous purchases and currently owned goods [column 6 «lines 44-52»]. Upon this determination, the user is not shown any updated offers of the product or service [column 6 «lines 52-54»: disclosing that the user is not shown any information or advertisement for previously purchased products].

Roberts discloses that the benefit of this feature is that it prevents information that would be of "little use" from being shown to the customer since he already owns the product. It would have been obvious to one of ordinary skill in the art to have incorporated this feature into Lerner's teachings. One of ordinary skill in the art would have been motivated to have modified Lerner so as to prevent duplicate information such as updated offers from being shown to the customer.

8. Thereby, the combination of Lerner, Vange, and Roberts disclosed:

- <Claims 1, 9, and 17>

  A method for redirecting a user from a second Web site to a first Web site, comprising the steps of:

(1) providing, by the second Web site, a URL offering a product or service to the user, said URL specifying a program on the second Web site (column 11, lines 3-9);

(2) reading, by said program, a cookie located in the user's computer in response to the user activating said URL (column 11, lines 9-14);

(3) providing a positive determination when an inquiry by said program, from said cookie as to whether the user already possesses said product or service is true (column 11, lines 32-37);

(4) redirecting, by said program, the user to the first Web site when the determination of step (3) is positive determination, wherein the first Web site is specified by said cookie (column 11, lines 32-37); and

(5) offering, by the second Web site, to supply said product or service to the user when the determination of step (3) is negative (column 11, lines 14-18);

whereby the user who already possesses said product or service will not receive duplicate offers to supply said product or service from multiple Web sites (column 11, lines 32-37),

whereby the user who already possesses said product or service is not shown any updated offers of the product or service [column 6 «lines 52-54»: disclosing that the user is not shown any information or advertisement for previously purchased products].

- <Claims 2, 10, and 18>

The method of claim 1, wherein said providing of step (1) comprises at least one of the following steps of: sending an e-mail including a link to said URL to the user;

providing a Web page including a link to said URL to the user (column 11, lines 3-9); and providing a computer program including a link to said URL to the user.

- <Claims 3 and 11>

  The method of claim 2, wherein said activating of step (2) comprises at least one of the steps of: clicking a link to said URL on a Web page (column 11, lines 7-9); clicking a link to said URL in an e-mail; and executing a computer program that activates a link to said URL.

- <Claims 4 and 12>

  The method of claim 1, further comprising a step of: placing, by the first Web site, said cookie the user's computer in response to the user registering with the first Web site for said product or service, said cookie including the URL of the first Web site (column 11, lines 27-31).

- <Claims 5 and 13>

  The method of claim 1, wherein said program is a server side program (figure 4, item 402).

- <Claims 6 and 14>

  The method of claim 5, wherein said program is at least one of the following: a CGI script; a Java servlet (column 6, lines 15-19); a PHP script; and a Perl script.

Since all the limitations of the invention as set forth in claims 1-6, 9-14, 17, and 18 were disclosed by Lerner and Vange, claims 1-6, 9-14, 17, and 18 are rejected.

9. Claims 7, 8, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lerner, Vange, and Roberts as applied above, in view of the applicant's admitted prior art, hereinafter referred to as APA.

10. Lerner as modified by Vange disclosed a method for integrating web based applications with each other and with other centralized applications to provide a single sign-on approach for distributed web sites. Lerner's system as modified by Vange provides the program functionality that reads the user's cookie on the server side of the system. Thus, concerning claims 7, 8, 15, and 16, Lerner as modified by Vange does not explicitly state this program functionality at the client side. However, client side program functionality enabled to read a user's cookie was well known in the art at the time of the applicant's invention. This is evidenced by APA, wherein the applicant states "ActiveX controls and Java applets used to access the file system were well-known to those reasonably skilled in the art at the time of the present invention." See page 34, lines 1-7 of the appeal brief filed 6/3/2005. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Lerner by adding the ability for the program to be a client side program that is downloaded from the second Web site as provided by APA.

11. Thereby, the combination of Lerner, Vange and APA discloses:

- <Claims 7 and 15>

  The method of claim 1, wherein said program is a client side program that is downloaded from the second Web site (APA as discussed above).

- <Claims 8 and 16>

The method of claim 7, wherein said program is at least one of the following: a Java applet; a Java script; and an Active X control (APA as discussed above).

Since the combination of Lerner and APA discloses all of the above limitations, claims 7, 8, 15, and 16 are rejected.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dohm Chankong/
Examiner, Art Unit 2152

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2146